

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the device bore false and misleading curative and therapeutic claims in substantially the same respect as the device involved in notices of judgment on drugs and devices, No. 2098.

DISPOSITION: September 25, 1945. Default decree of condemnation and destruction. The device was ordered delivered to the Food and Drug Administration, to be used for experimental purposes and in a pending criminal action against the shipper.

2494. Misbranding of Roll-A-Ray. U. S. v. 53 Devices * * *. (F. D. C. No. 24587. Sample No. 20834-K.)

LIBEL FILED: On or about April 13, 1948, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 10, 1947, by the O. A. Sutton Corp., from Wichita, Kans.

PRODUCT: 53 *Roll-A-Ray* devices at Kansas City, Mo. Examination showed that the device, resembling an electric iron in shape and size, consisted of a brown plastic molded case with handle attached. The case enclosed a light bulb and two rubber rollers placed at either end of the bottom part of the case. The rollers contacted the body for massaging purposes, and the light bulb furnished heat. A plastic grid was fitted over the bulb to protect the body from contact with the lamp.

LABEL, IN PART: "Roll-A-Ray Heat Massage With Infra Red."

NATURE OF CHARGE: Misbranding, Section 502 (a), the following label statements were false and misleading, since heat and massage are not adequate treatments for such purposes: "For Home Reducing and an Aid in the Relief of Discomforts Arising from Rheumatism, Lumbago, Muscular Aches, Physical Pains * * * for Health and Beauty * * * to remove fatty tissues. Many varied ailments respond to application of heat and massage * * * for loosening muscles and assisting in driving fatty tissues away."

DISPOSITION: September 28, 1948. Default decree of destruction.

2495. Misbranding of Beauty Roll. U. S. v. 24 Devices * * *. (F. D. C. No. 24704. Sample No. 2028-K.)

LIBEL FILED: April 1, 1948, District of Columbia.

PRODUCT: 24 *Beauty Roll* devices which were held for sale in interstate commerce in the District of Columbia by Vita Food Stores, together with a number of display placards and leaflets entitled "Reduce with the Beauty Roll * * * Dandd, Inc., New York."

Examination showed that the device consisted of three rubber-like balls mounted so as to rotate on an axis between two wooden handles.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements, and designs consisting of pictures of the device and of a slender woman using the device, appearing on the label, were false and misleading. These statements and designs represented and suggested that the device when used as directed was effective to reduce excess body weight, whereas the device was not effective for such purpose.

DISPOSITION: August 4, 1948. Default decree of condemnation and destruction.

DRUGS FOR VETERINARY USE

2496. Misbranding of Guaialyptol and Guiasol. U. S. v. 22 Bottles of Guaialyptol, etc. (F. D. C. No. 24127. Sample Nos. 25039-K to 25042-K, incl.)

LIBEL FILED: November 29, 1947, District of Minnesota.

ALLEGED SHIPMENT: On or about October 29 and November 7, 1947, by Fort Dodge Laboratories, Inc., from Fort Dodge, Iowa. The circulars were shipped on or about October 19, 1947.

PRODUCT: 22 1-gallon bottles of *Guaialyptol* and 6 1-gallon bottles of *Guiasol* and 60 circulars entitled "in swine 'flu' * * * Guaialyptol * * * Guiasol" at Minneapolis, Minn. Examination showed that the *Guaialyptol* consisted essentially of guaiacol liquid, eucalyptus oil, camphor oil, cresol, and saponaceous oils. The *Guiasol* consisted essentially of potassium guaiacol sulfonate, potassium arsenite, and ammonium chloride 8%, in an aromatic glycerinated base.

NATURE OF CHARGE: *Guaialyptol*. Misbranding, Section 502 (a), the statements "in swine 'flu' * * * Indicated in all pulmonary troubles of animals" and the design of a sick hog which appeared in the circulars entitled "in swine 'flu' * * * *Guaialyptol* * * * *Guiasol*" were false and misleading, since the product would not be an effective treatment for swine influenza and all pulmonary troubles of animals.

Guiasol. Misbranding, Section 502 (a), the statement "in swine 'flu' * * * Especially valuable in swine influenza of porcine pneumonia, coryza and roup of fowls, shipping fever and kindred troubles of horses, cattle and sheep," appearing in the circulars entitled "in swine 'flu' * * * *Guaialyptol* * * * *Guiasol*," were false and misleading since the product would not be an effective treatment for swine influenza and pneumonia, coryza and roup of fowls, shipping fever and kindred troubles of horses, cattle, and sheep.

DISPOSITION: February 28, 1948. Fort Dodge Laboratories, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

2497. Misbranding of Poultry Prep. U. S. v. 17 Bottles, etc. (F. D. C. No. 24902. Sample No. 24583-K.)

LABEL FILED: June 30, 1948, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about May 10, 1948, by the Wonder Chemical Co., from Minneapolis, Minn.

PRODUCT: 17 1-quart bottles, 7 ½-gallon bottles, and 8 1-gallon bottles of *Poultry Prep.* at Durand, Wis.

LABEL, IN PART: "Poultry Prep. Astringent and Acidifying Preparation for Poultry Active Ingredients: Sodium Sulpho-carbolate, Sulphuric Acid, Iron Sulphate, Manganese Sulphate. Inert Ingredients: Artificial Oil of Sassafras 3%, Epsom Salts, 4.3%, Water 83%. Total Drugs 17%."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading, since they represented and suggested that the article when used as directed was of value in the prevention and treatment of disease conditions of chickens and turkeys, whereas the article when used as directed was not of value for such purposes.

DISPOSITION: August 9, 1948. Default decree of forfeiture and destruction.

2498. Misbranding of Sep-Tone. U. S. v. 12 Bottles, etc. (F. D. C. No. 24918. Sample Nos. 45601-K to 45603-K, incl.)

LABEL FILED: June 28, 1948, Eastern District of Illinois.

ALLEGED SHIPMENT: On or about April 5 and May 10 and 28, 1948, by Dolan Laboratories, from St. Louis, Mo.

PRODUCT: 12 1-gallon bottles, 16 1-quart bottles, and 24 ½-gallon bottles of *Sep-Tone* at Mascoutah, Ill.

LABEL, IN PART: "Sep-Tone for Poultry Drinking Water Contains: Potassium Guaiacolate-Sulfonate, Ammonium Chloride, Iodine, Potassium Iodide, Sodium Sulfocarbolate, Zinc Sulfocarbolate, Copper Sulfocarbolate, Potassium Dichromate and Water."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading, since they represented and suggested that the article was of value as a tonic for septic conditions and that when used as directed it was of value in the prevention and treatment of disease conditions of poultry and rabbits, whereas the article was not effective for the purposes represented.

DISPOSITION: August 10, 1948. Default decree of condemnation and destruction.

DRUG ACTIONABLE BECAUSE OF OMISSION OF, OR UNSATISFACTORY, INGREDIENTS STATEMENTS*

2499. Misbranding of E-E Double Ease Powders. U. S. v. 897 Packages * * *. (F. D. C. No. 24853. Sample No. 347-K.)

LABEL FILED: June 1, 1948, Western District of North Carolina.

*See also Nos. 2453, 2457, 2479.